

**REMARKS/ARGUMENTS**

The present application has been reviewed in light of the Office Action mailed December 8, 2009. Claims 1-14 are currently pending in this application. Favorable reconsideration of this application is respectfully requested in view of the following remarks.

Claim 1 has been amended to recite, *inter alia*, at least one optical element having a plurality of lenses superimposed on a curved surface of a larger collector lens, wherein the plurality of lenses and the collector lens each at least partially focus incident solar radiation.

Claim 9 has been amended to recite, *inter alia*, an array of optical elements, each of the optical elements having a plurality of lenses superimposed on a curved surface of a larger collector lens, wherein the plurality of lenses and the collector lens of each optical element each at least partially focus incident solar radiation.

Support for these amendments can be found at page 8, line 19 through page 8 line 12 of the application as filed. No new matter is added.

Claims 1-3, and 8 have been rejected under 35 U.S.C. §102(b) as being anticipated by Ploke. This rejection is respectfully traversed.

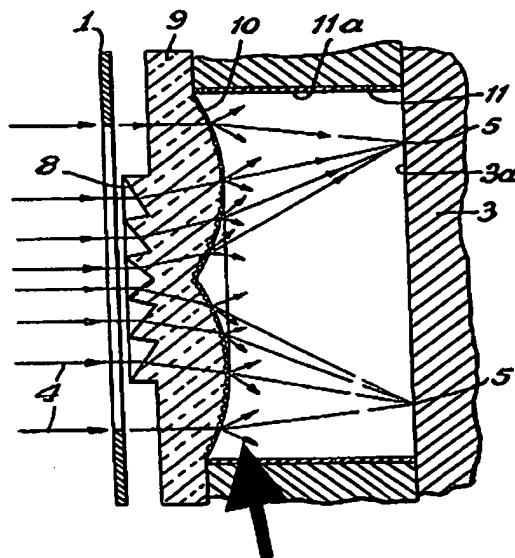
Nowhere does Ploke teach or suggest wherein the plurality of lenses and the collector lens each at least partially focus incident solar radiation. Rather, regarding FIG. 2 (the figure referred to in the office action and reproduced below), Ploke discloses at column 1, lines 34 – 45:

[A] light diffusion body is arranged between the photoelectric receiver and the iris diaphragm. This light diffusion body has the form of a lens. . . At least one face of this lens is frosted or is provided with grooves or ridges in order to produce such a light diffusion action. . .

Similarly, as unequivocally stated by Ploke at column 2, line 73 through column 3, line 2:

The faces of the lens 2 are frosted so that the incoming rays as indicated at 6 and the outgoing rays as indicated at 7 are diffused.

Ploke's lens differs from the recited lens in that the Ploke lens diffuses the rays. In contrast, in the recited optical element of Claim 1, the plurality of lenses and the collector lens each at least partially focus incident solar radiation.



Ploke Fig. 2 illustrating diffusion

In view of the foregoing, reconsideration and withdrawal of the rejection of Claims 1-3 and 8 as being anticipated by Ploke is deemed appropriate and is respectfully requested.

Claims 4 and 5 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Ploke in view of Nicoletti. This rejection is respectfully traversed.

The deficiencies of Ploke are noted above. Nicoletti does not and is not cited in the Office Action as curing the above-noted deficiencies of Ploke. Rather, Nicoletti is merely cited as disclosing the use of a mirror or prism to direct light. In view of the foregoing, reconsideration and withdrawal of the rejection of Claims 4 and 5 as being obvious over Ploke in view of Nicoletti is deemed appropriate and is respectfully requested.

Claims 6, 7, 9-11 and 14 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Ploke in view of Lawheed. This rejection is respectfully traversed.

With respect to Claim 9, nowhere does Ploke teach or suggest, wherein the plurality of lenses and the collector lens of each optical element each at least partially focus incident solar radiation, as recited, *inter alia*, therein. Rather, as discussed above with respect to Claim 1, Ploke's lens differs from the recited lens of Claim 9 in that the Ploke lens diffuses the rays. Furthermore, Lawheed does not and is not cited in the Office Action as curing the above-noted deficiencies of Ploke. Rather, Lawheed is merely cited as disclosing the use of an array or plurality of optical elements and solar cells coupled together with one housing. With respect to Claims 6, 7, 10-11 and 14 each of which depends directly, or indirectly, from independent Claims 1 or 9, the deficiencies of Ploke are noted above. In view of the foregoing, reconsideration and withdrawal of the rejection of Claims 6, 7, 9-11 and 14 as being obvious over Ploke in view of Lawheed is deemed appropriate and is respectfully requested.

Claims 12 and 13 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Ploke in view of Lawheed and Nicoletti. This rejection is respectfully traversed.

The deficiencies of Ploke are noted above. Lawheed and Nicoletti do not and are not cited in the Office Action as curing the above-noted deficiencies of Ploke. Rather, Lawheed is merely cited as disclosing the use of an array or plurality of optical elements and solar cells coupled together with one housing. Nicoletti is merely cited as disclosing the use of a mirror or prism to direct light. In view of the foregoing, reconsideration and withdrawal of the rejection of Claims 12 and 13 as being obvious over Ploke in view of Lawheed and further in view of Nicoletti is deemed appropriate and is respectfully requested.

Claims 1-14 have been rejected on ground of nonstatutory obvious type double patenting as being unpatentable over claims 1-15 of U.S. Patent No. 6,700,055 to Barone (hereinafter referred to simply as "Barone") in view of Ploke. This rejection is respectfully traversed.

As admitted in the Office Action by the Examiner, Barone discloses "all the features of the presently claimed invention except for the optical element having a plurality of lenses superimposed on the surface of a larger lens." Ploke is cited in the Office Action as curing the deficiencies of Barone, however, as noted above, Ploke fails to teach a plurality of lenses and a collector lens focusing solar radiation, but rather discloses a lens diffusing solar radiation. In view of the foregoing, reconsideration and withdrawal of the rejection on ground on nonstatutory obvious type double patenting as

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being unpatentable over Claims 1-15 of Barone in view of Ploke is deemed appropriate and is respectfully requested.

In view of the foregoing, this application is believed to be in condition for allowance, such early and favorable action being earnestly solicited.

If the Examiner believes that a telephonic interview will be helpful in advancing prosecution of the present application, he is respectfully invited to call the undersigned at 631-501-5709.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Peter DeLuca', with a long horizontal flourish extending to the right.

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